



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/989,702 | 11/21/2001 | Hayato Kikuchi | 108426-00010 | 9591 |

4372 7590 10/20/2004

ARENT FOX KINTNER PLOTKIN & KAHN
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

EXAMINER

BOTTORFF, CHRISTOPHER

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
|----------|--------------|

3618

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Interview Summary

Application No.

09/989,702

Applicant(s)

KIKUCHI ET AL.

Examiner

Christopher Bottorff

Art Unit

3618

All participants (applicant, applicant's representative, PTO personnel):

(1) Christopher Bottorff, Patent Examiner.

(3) Melodie Young, Attorney for Applicants.

(2) Marylee Jenkins, Attorney for Applicants.

(4) _____.

Date of Interview: 12 October 2004.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Proposed claim amendment.

Claim(s) discussed: 7-10.

Identification of prior art discussed: all art of record.

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: The claims of the proposed amendment are clearer than previously presented claims. However, further clarification is necessary. The structure that forms the input means and distance setting means is not clearly presented. The structure of the input means is understood to be the switch species depicted in Figures 6(a) and 8(a). The structure of the vehicle-to-vehicle distance setting means is understood to be controller 52 depicted in Figure 4. The controller is not included in the switch, but is a distinct structure and should be claimed as such. Also, defining the input means as including further structure is not necessary or proper since invoking 35 USC 112, sixth paragraph, established that the input means already encompasses all of the structure described in the specification as being included in the input means, such as the distance and cruise switches. An additional interview to resolve any remaining questions would be appropriate after the claims are clarified.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

CHRISTOPHER P. ELLIS
PATENT EXAMINER
TECHNOLOGY CENTER 3600

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Christopher Bottorff
Examiner's signature, if required